

DETAILED ACTION

This Allowance is responsive to the communication received 04/12/2010.

Claim Status

Claim(s) 46, 48-49, 62-64, 83-84 and 90-95 are currently pending.

Claim(s) 93-94 have been canceled herein by examiner's amendment.

Claim(s) 46, 48-49, 62-64, 83-84, 90-92 and 95 are allowed, now renumbered as 1-12.

Election/Restrictions

Applicant's election without traverse in the reply filed on 12/22/2008 of group I, claims 46, 48-49, 62-64, 83-84 and 90-95 is noted.

Priority

This application for patent is filed under 35 U.S.C 371 of PCT/US04/09574 (filed on 03/26/2004).

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 04/12/2010 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the Examiner.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jennifer J. Chheda on 06/09/2010.

The application has been amended as follows:

In the claims:

Claim 46: line 4, replace "a compound or a member of a library" with "a compound or a compound from a library of compounds"

Claim 46: line 10, replace "the mRNA transcribed" with "the transcribed mRNA"

Claim 46: line 16, replace "a compound" with "the compound or the compound from the library of compounds"

Claim 46: line 18, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 46: line 19, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 48: line 4, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 48: line 5, replace "the compound" with "the compound or the compound from the library of compounds"

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Claim 48: line 6, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 49: line 4, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 49: line 5, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 49: line 6, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 62: line 1, replace "the reporter" with "the coding region of the reporter"

Claim 62: line 2, replace "at least one of the following: firefly" with "at least one or more coding regions of the reporter genes from the group consisting of firefly"

Claim 62: line 5, replace "or" with "and"

Claim 83: line 2, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 83: line 4, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 83: line 6, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 83: line 8, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 83: line 9, replace "the compound" with "the compound or the compound from the library of compounds"

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Claim 84: line 2, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 84: line 4, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 84: line 6, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 84: line 8, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 84: line 9, replace "the compound" with "the compound or the compound from the library of compounds"

Claim 90: line 1, replace "the reporter" with "the coding region of the reporter"

Claim 90: line 2, replace "of the following: firefly" with "or more coding regions of the reporter genes from the group consisting of firefly"

Claim 90: line 5, replace "or" with "and"

Claim 93: cancel

Claim 94: cancel

Claim 95 line 1, replace "the tRNA is" with "the tRNA intron is"

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Tocchini-Valentini (12/06/2001) PCT International Patent Application Publication WO 01/092463 A2 represents the closest prior art. The main differences between the instant claims

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and Tocchini-Valentini is that Tocchini-Valentini teaches a method for identifying different structure of bulge-helix-bulge RNA targets of tRNA splicing endonuclease while the instant claims teach a method for identifying compounds that modulate the activity of tRNA splicing endonuclease and that Tocchini-Valentini teaches an in vivo method using a mixture of archaeal and human tRNA splicing endonucleases while the instant claims teach an in vivo method using fungal tRNA splicing endonuclease and that Tocchini-Valentini teaches a method using a reporter gene with a target molecule containing a tRNA intron in a bulge-helix-bulge RNA (MDI mode) while the instant claims teach a method using a reporter gene containing a tRNA intron in a mature domain of a precursor tRNA (MDD mode) and that Tocchini-Valentini teaches a method using a human cell in vivo assay while the instant claims teach a method using a fungal cell in vivo assay. There are no obvious reasons to substitute a method for identifying compounds that modulate the activity of tRNA splicing endonuclease for a method for identifying different structure of bulge-helix-bulge RNA targets of tRNA splicing endonuclease.

The X references in the International Preliminary Report on Patentability (04/04/2005) relate to canceled claims in the nonelected invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

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Any inquiry concerning this communication or earlier communications from the Examiner should be directed to CHRISTIAN BOESEN whose telephone number is 571-270-1321. The Examiner can normally be reached on Monday-Friday 9:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christopher S. Low can be reached on 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christian Boesen/
Examiner, Art Unit 1639

/Jeffrey S. Lundgren/
Primary Examiner, Art Unit 1639